

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

JEANETTE L. BAILEY,
Plaintiff,

v.

Civil Action No. 2:18cv392

**VIRGINIA DEPARTMENT OF
ALCOHOLIC BEVERAGE CONTROL,**
Defendant.

NOTICE OF REMOVAL

Defendant, the Virginia Department of Alcoholic Beverage Control (“ABC”), by counsel, pursuant to 28 U.S.C. § 1441 *et seq.*, removes this civil action, originally filed in state court, to this Court for the following reasons:

1. On May 9, 2018, Jeanette L. Bailey (“Plaintiff” or “Bailey”) filed the attached Summons and Complaint in the Circuit Court of the City of Norfolk (Case No. CL18003841-00) (attached hereto as Ex. A).

2. The one-count Complaint alleges that ABC unlawfully retaliated against Bailey in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.* (“Title VII”).

3. Because ABC accepted formal services of the Complaint on June 25, 2018, this notice of removal is timely filed pursuant to 28 U.S.C. § 1446.

4. Moreover, ABC has timely filed a responsive pleading in the form of a Demurrer in the Circuit Court of the City of Norfolk, which is attached hereto as Ex. B.

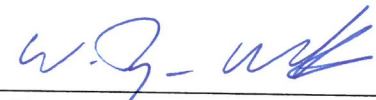
5. Pursuant to 28 U.S.C. § 1331, jurisdiction in this Court is proper because the Complaint involves an alleged violation of Title VII’s anti-retaliation provision and the events complained of by Plaintiff took place within the City of Norfolk, Virginia.

6. ABC, by and through the undersigned counsel, will provide written notice of the filing of this Notice of Removal to Plaintiff's counsel and to the Clerk of the Circuit Court of the City of Norfolk as required by 28 U.S.C. § 1446(d).

7. Pursuant to Fed. R. Civ. P. 81(c)(2)(C), ABC will also file a motion to dismiss, and an accompanying memorandum of law in support thereof, within seven days of the filing of this notice of removal.

WHEREFORE, and for the foregoing reasons, Defendant removes this civil action, originally filed in the Circuit Court of the City of Norfolk (Case No. CL18003841-00), to this Court and requests it to properly proceed in federal court.

Respectfully submitted,
**Virginia Department of
Alcoholic Beverage Control**

By: 
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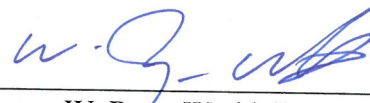
Samuel T. Towell
Deputy Attorney General

Tara Lynn R. Zurawski
Senior Assistant Attorney General/Trial Section Chief

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of July, 2018, the FOREGOING **Notice of Removal**
was mailed, postage prepaid, to:

Steven B. Wiley, Esquire
Wiley Law Offices, PLLC
440 Monticello Avenue, Suite 1817
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Counsel for Plaintiff, Jeanette L. Bailey



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